

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-04-0357 MCE DAD P

vs.

FAISAL RASHID,

Movant.

ORDER

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Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. Since movant may be entitled to the requested relief if he can establish a violation of his constitutional rights, respondent will be directed to respond to the motion.

Accordingly, IT IS HEREBY ORDERED that:

1. Respondent shall file and serve a response to movant's § 2255 motion within sixty days after this order is served. See Rules 4 and 5, Rules Governing Section 2255 Proceedings;

2. If respondent files and serves an opposition to the § 2255 motion, movant's reply to the opposition shall be filed and served within thirty days after the opposition is served;

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1           3. If respondent files and serves a procedural motion, movant's opposition shall  
2 be filed and served within thirty days after the countermotion is served, and respondent's reply  
3 shall be filed and served within thirty days after the opposition is served; and

4           4. The Clerk of the Court shall serve a copy of this order, together with a copy of  
5 the § 2255 motion filed by movant, on the United States Attorney or his authorized  
6 representative.

7 DATED: January 14, 2009.

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10 DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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